

Judge Robart

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

AARON SLOAN,

Defendant.

NO. CR05-378JLR

ORDER CONTINUING TRIAL DATE

ORDER

The Court having reviewed the records and files herein and considered the government's motion, enters the following order:

1. On December 14, 2006, the defendant was found not competent to stand trial. Following that finding the defendant initially refused to participate in a competency evaluation and was resistant to taking the recommended medication.

2. On May 11, 2006, after receiving a report from Dr. Cynthia Low, this Court found the defendant mentally competent to proceed to trial.

3. Given the unpredictable nature of when the defendant would become competent and the government's involvement in another trial which is expected to last into the week of May 22, 2006, and possibly until the trial date in this matter of May 24, 2006, this Court finds that the government is in need of additional time to prepare for trial.

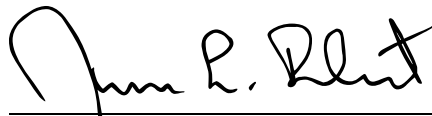
1 4. This Court finds that the ends of justice outweigh the best interest of the
2 public and the defendant in a speedy trial. That failure to grant a continuance based upon
3 the change of circumstances would result in a miscarriage of justice in that the
4 government would not have adequate time to prepare the matter for trial.

5 5. The Court finds that the failure to grant a continuance under these
6 circumstances would unreasonably deny the Government both continuity of counsel and
7 the reasonable time necessary for effective preparation, taking into account the exercise
8 of due diligence. The Court therefore concludes that a continuance is justified under 18
9 U.S.C. § 3161(h)(8)(B)(iv).

10 IT IS HEREBY ORDERED that the trial date is continued from May 24, 2006 to
11 June 19, 2006.

12 IT IS FURTHER ORDERED that pursuant to Title 18, United States Code,
13 Section 3161(h), the period of time from the date of this order to the new trial date is
14 excluded in the computation of time under the Speedy Trial Act.

15 DONE this 18th day of May, 2006.

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18 JAMES L. ROBART
19 United States District Judge

20 Presented by:

21 s/ Bruce F. Miyake
22 BRUCE F. MIYAKE
23 Assistant United States Attorney